

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) A handle assembly, comprising:
a grip portion configured for being disposed in a side panel[[,]] of a cabinet for, moving the cabinet; and
a load transfer portion configured for coupling the grip portion to abutting a support element frame of the cabinet,
~~wherein[[,]]when the grip portion is gripped for moving the cabinet, the load transfer portion is configured for being disposed substantially within the cabinet for physical engagement with a support element of the frame and the load transfer portion is configured for at least partially transferring loads placed in the grip portion to the frame.~~
2. (Currently Amended) The handle assembly as claimed in claim 1, further comprising a retainer clip configured for being received in a hole formed in the side panel for securing the grip portion to the side panel.
3. (Currently Amended) The handle assembly as claimed in claim 1, wherein the grip portion comprises a gripping cavity configured for being recessed within the side panel.
4. (Original) The handle assembly as claimed in claim 3, wherein the gripping cavity is generally semi-circular and includes a concave inner surface.

5. (Original) The handle assembly as claimed in claim 3, wherein the grip portion further comprises a lip surrounding the gripping cavity.
6. (Currently Amended) The handle assembly as claimed in claim 5, wherein the lip comprises a fastener configured for securing the grip portion to the side panel.
7. (Currently Amended) The handle assembly as claimed in claim 6, wherein the fastener comprises a retainer clip configured for being inserted into a hole formed in the side panel.
8. (Original) The handle assembly as claimed in claim 1, wherein the load transfer portion comprises a box shaped member.
9. (Currently Amended) The handle assembly as claimed in claim 8, wherein the box shaped member comprises a fastener configured for securing the box shaped member to the frame.
10. (Previously Presented) The handle assembly as claimed in claim 1, wherein the grip portion and the load transfer portion are of unitary construction.

11. (Currently Amended) A cabinet, comprising:
 - a frame;
 - at least one side panel coupled to the frame for at least partially enclosing the frame;
 - a handle assembly formed in the side panel, the handle assembly including a grip portion positioned to be gripped for moving the cabinet; and
 - a load transfer portion abutting the frame for coupling the grip portion to the frame,
wherein, ~~when the grip portion is gripped for moving the cabinet~~, the load transfer portion is configured for being disposed substantially within the cabinet for physical engagement with a support element of the frame and the load transfer portion is configured for at least partially transfers transferring loads placed in the grip portion to the frame.
12. (Original) The cabinet as claimed in claim 11, further comprising a retainer clip for being received in a hole formed in the side panel for securing the grip portion to the side panel.
13. (Original) The cabinet as claimed in claim 11, wherein the grip portion comprises a gripping cavity recessed within the side panel.
14. (Original) The cabinet as claimed in claim 13, wherein the gripping cavity is generally semi-circular and includes a concave inner surface.
15. (Original) The cabinet as claimed in claim 13, wherein the grip portion further comprises a lip surrounding the gripping cavity.
16. (Original) The cabinet as claimed in claim 15, wherein the lip comprises a fastener for securing the grip portion to the side panel.

17. (Previously Presented) The cabinet as claimed in claim 16, wherein the fastener comprises a retainer clip inserted into a hole formed in the side panel.
18. (Original) The cabinet as claimed in claim 11, wherein the load transfer portion comprises a box shaped member.
19. (Original) The cabinet as claimed in claim 18, wherein the box shaped member comprises a fastener for securing the box shaped member to the frame.
20. (Original) The cabinet as claimed in claim 11, further comprising a caster assembly coupled to the frame for allowing the cabinet to be moved across a surface.
21. (Previously Presented) The cabinet as claimed in claim 11, wherein the grip portion and the load transfer portion are of unitary construction.

22. (Currently Amended) A handle assembly, comprising:

a gripping means configured for being disposed in a side panel of a cabinet for moving the cabinet; and

a load transfer means ~~configured for abutting for coupling the gripping means to a frame of the cabinet,~~

wherein, ~~the load transfer means is configured for being disposed substantially within the cabinet for physical engagement with a support element of the frame and the load transfer means is configured for at least partially transfers transferring loads placed in the gripping means to the frame.~~

23. (Currently Amended) A cabinet, comprising:

a means for supporting electronic equipment within the cabinet;

a means for at least partially enclosing the supporting means and electronic equipment supported thereby, the enclosing means coupled to the supporting means; and

a means for transporting the cabinet, the transporting means being formed in the enclosing means, the transporting means, including a grip portion positioned to be gripped for moving the cabinet and a box portion abutting the supporting means for coupling the grip portion to the supporting means frame,

wherein ~~when the grip portion is gripped for moving the cabinet, the box portion is configured for being disposed substantially within the cabinet for physical engagement with the supporting means and the box portion is configured for at least partially transferring loads placed in the grip portion to the supporting means frame.~~

24. (Currently Amended) A cabinet, comprising:

a frame configured for supporting electronic equipment within the cabinet;

at least one side panel for the cabinet, the side panel being coupled to the frame;

and

a load transferring handle assembly formed in the side panel, the load transferring handle assembly configured for abutting a support element of the frame, and being positioned to be gripped for moving the cabinet,

wherein the load transferring handle assembly is configured for being disposed substantially within the cabinet for physical engagement with a support element of the frame, and the load transferring handle assembly is configured for at least partially transfers transferring loads placed in the load transferring handle assembly assemblies to the frame.

25. (Previously Presented) The cabinet as claimed in claim 24, wherein the load transferring handle assembly comprises:

a grip portion positioned to be gripped for moving the cabinet; and

a load transfer portion for coupling the grip portion to the frame.

26. (Previously Presented) The cabinet, as claimed in claim 25, wherein the grip portion and the load transfer portion are of unitary construction.

27. (Original) The cabinet as claimed in claim 25, wherein the load transfer portion comprises a box shaped member.

28. (Original) The cabinet as claimed in claim 24, further comprising a retainer clip for being received in a hole in the side panel for securing the grip portion to the side panel.

29. (Original) The cabinet as claimed in claim 24, further comprising a caster assembly coupled to the frame for allowing the cabinet to be moved across a surface.

30. (New) A handle assembly, comprising:

- a grip portion;
- a box shaped load transfer portion, configured for physical engagement with a support element of a cabinet; and
- a connecting structure,

wherein the box shaped load transfer portion abuts the support element and the box shaped load transfer portion at least partially transfers loads placed in the grip portion to the support element, and wherein the grip portion is connected to the load transfer portion with a connecting structure and the load transfer portion is connected to the support element by a connecting structure.

REMARKS

Claims 1-30 are pending in the Application. Claims 1-3, 6-7, 9, 11, and 22-24 have been amended. Claim 30 is newly added, support for claim 30 can be found in paragraphs 13 and 14 of the detailed description.

Claim Rejections – 35 USC § 112

The Patent Office rejected claims 1-10 and 22 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Independent claims 1 and 22 have been amended thereby obviating the rejections under this section.

Claim Rejections – 35 USC § 102

The Patent Office rejected claims 1-3, 5-10, and 22 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,355,554 to Magoon, (hereinafter “Magoon”).

Applicant respectfully traverses. “Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration.” W.L. Gore & Assocs. v. Garlock, Inc., 721 F.2d 1540. Applicant submits claims 1 and 22 recite elements which have not been disclosed, taught or suggested by Magoon. For example, claims 1 and 22 generally recite a handle assembly which includes a load transfer portion that abuts and is in physical engagement with a support element of the cabinet. Magoon does not teach a load transfer portion that abuts a support element of the cabinet. Rather, Magoon merely teaches a handle attached using fasteners that are oriented traverse to the direction of pull, where the forces exerted on the fasteners are born by the shaft of the fasteners rather than just the threads of the fastener. (Magoon, Column 5, Line 56-59). Consequently, elements of claims 1 and 22 have not been disclosed by Magoon. Claims 1 and 22 should be allowed. Further, claims 2, 3, and 5-10 which depend from claim 1, and are also believed to be allowable.

Claim Rejections – 35 USC § 103

The Patent Office rejected claim 4 as being unpatentable over Magoon in view of and U.S. Patent 6,748,627 issued to Kotsatos (hereinafter “Kotsatos”). The Patent Office rejected claims 11, 13, 15, 16, 18-21, 23-27 and 29 as being unpatentable over U.S. Patent 5,165,770 issued to Hahn (hereinafter “Hahn”) in view of U.S. Patent 4,093,327 issued to Linger (hereinafter “Linger”) and in view of Magoon. The Patent Office rejected claims 12, 14, 17 and 28 as being unpatentable over Hahn, in view of Linger and Magoon, and in further view of Kotsatos.

Applicant respectfully traverses. To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Ryoka, 180 U.S.P.Q. 580 (C.C.P.A. 1974). See also In re Wilson, 165 U.S.P.Q. 494 (C.C.P.A. 1970). Further, “to establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.” (emphasis added) (MPEP § 2143). If an independent claim is non-obvious under 35 U.S.C. §103, then any claim depending therefrom is non-obvious. (emphasis added) In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988).

Applicant submits that independent claims 1, 11, 23 and 24 recite elements which have not been disclosed, taught or suggested by the references cited by the Patent Office, including Magoon, Kotsatos, Hahn, and Linger. For example, claims 1, 11, 23 and 24 generally recite a handle assembly which includes a load transfer portion that abuts and is in physical engagement with a support element of the cabinet. Magoon does not teach a load transfer portion that abuts a support element of the cabinet. The load transfer portion of Magoon is a fastener that is oriented traverse to the direction of pull on the handle, thereby transferring the load to the shaft of the fastener and onto the frame.